

1267
IRISH DEBATES:

N. Ireland. Parliament.

FIFTH PARLIAMENT

IN THE REIGN OF HIS PRESENT MAJESTY.

JOHN FANE, EARL OF WESTMORELAND,
LORD LIEUTENANT GENERAL, AND GENERAL
GOVERNOR OF IRELAND.

—DUBLIN:—

T. BYRNE, 15, PARLIAMENT-STREET.

1791.

James Hume

IRISH DEBATES:

THE PARLIAMENT

IN THE REIGN OF HIS MOST EXCELLENT MAJESTY



JOHN BARR, EARL OF WESTMINSTER

FOOD AND DRINK, AND THE SENSES

CONCERNING THE SENSES

OF THE SENSES

P R E F A C E.

per oppida facti
Rumor it, et magnum sermonibus occupat orbem.

And a rumour of the *fact* circulates,
And fills the whole world with discourse.

MISTAKEN policy, in times past,
suggested a government interest dis-
tinct from that of the people; this
fallacious opinion, among other evils,
produced a restraint upon the Press:
but the offspring of error expired

with the parent: enlightened policy begot reciprocal confidence, which gave birth to the Freedom the Press now enjoys.

Guilt may lurk within the dark and silent cells of secrecy; but virtue shuns not the light.

From these considerations, we fear not to offend either the legislative or executive government by the present publication; in which we are determined to be candid and impartial, and as correct as the difficulty of the "Words arresting in their rapid flight," will admit of. The speeches cannot be supposed to be
perfect,

perfect, but where they are defective, we shall be happy to receive such kind communications as will enable us to correct the unavoidable inaccuracy---and if so honoured, shall not be insensible of the favour, nor unfaithful to the trust.

The Work will proceed in Numbers, with all possible expedition, till such time as the arrear of business can be recovered, after which it will be published, only, on Mondays.

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The Work will proceed in Numbers with all possible expedition, till such time as the amount of half-nests can be recovered, after which it will be published only on Mondays.

THE
D E B A T E S
IN BOTH
HOUSES OF PARLIAMENT.

H O U S E O F P E E R S .

THURSDAY, JANUARY 20, 1791.

THE Right Honourable John Bourke, Earl of Mayo, introduced by the Earls of Miltown and Beclive; and Dr. George Lewis Jones, Bishop of Kildare, introduced by the Bishops of Killaloe and Ossory, took the oaths and their seats.

Two petitions of Appeals were received.

At half past four his Excellency the Lord Lieutenant entered the House of Peers, preceded by the Marquis of Waterford, supporting the Cap of Maintenance, and followed by the Earl of Miltown, bearing the Sword of State. His Excellency being seated on the Throne, ordered the Commons to attend; and being informed of their attendance, thus addressed the House:

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“ My

“ My Lords and Gentlemen,

“ I have sincere pleasure in acquainting you, by the King's command, that the differences which had arisen between his Majesty and the court of Spain, have happily been brought to an amicable termination. Copies of the declarations exchanged between his Majesty's Ambassador and the Minister of the Catholic King, and of the Convention which has been since concluded, will be laid before you.

“ Had the honour of his Majesty's Crown and the protection of the rights and interests of the empire involved his kingdoms in the calamities of war, the zeal manifested by all his subjects, and by none more than his loyal people of Ireland, had left him no doubt of the most vigorous and effectual support. It is a source of peculiar satisfaction to his Majesty that these objects have been accomplished without any actual interruption of the blessings of peace.

“ Gentlemen of the House of Commons,

“ I have ordered the proper officers to lay the National Accounts before you, fully relying upon your accustomed zeal to provide for the exigencies of the state, and the honourable support of his Majesty's Government.

“ I have also ordered an account of the extraordinary expences of Government which have been incurred during the negociation with Spain to be laid before you; and I trust you will find that the confidence you reposed in me has not been misplaced.

“ My Lords and Gentlemen,

“ Your disposition to facilitate the business of commerce, and to consult the ease of the merchants,

chants, will induce you to consider, and if possible to accomplish, during the session, such regulations as may tend to simplify the collection of the various articles of the public revenue.

“ Your unremitting care of the agriculture, trade, and manufactures of this kingdom, and particularly the Linen Manufacture, and your accustomed liberality to the Protestant Charter Schools and other public institutions for charitable purposes, make it unnecessary for me to direct your attention to those objects individually.

“ A more intimate acquaintance with this country has increased my wishes for its welfare, and I have observed with the sincerest satisfaction the extension of her agriculture, her rising trade, and improving manufactures. You may be assured of my co-operation in every measure that may conduce to those important purposes; and whilst I thus fulfil his Majesty's commands, I shall attain the highest object of my ambition if I can be instrumental in contributing to the happiness and prosperity of Ireland.”

[When his Excellency had concluded a speech which was delivered with peculiar grace and propriety, he retired with his attendants.]

The Marquis of Waterford. Having upon all occasions testified my attachment to his Majesty, I feel extremely happy this night, in moving your Lordships, that an humble Address from this House be transmitted to his Majesty, expressing our thanks for his gracious communication, respecting the late settlement with the court of Spain, and our acknowledgments for his being graciously pleased to order the documents and papers relative to that important subject

subject, to be laid before us; to express our just sense of the blessings we enjoy under his auspicious reign, particularly at this moment, when surrounding nations are suffering the calamities of war, that by his wise Government we are happy in the perfect enjoyment of peace, and prosperity in our trade and commerce. His Lordship then read the Address, in which were introduced sentiments of condolence for the death of the late much-lamented Duke of Cumberland.

The motion was agreed to *nem. con.* and a Committee appointed to sit to-morrow and prepare the Address.

Lord Farnham. I rise, my Lords, to express my satisfaction at that part of the speech which recommends "to simplify the revenue laws," and I trust that a measure so absolutely necessary may be carried into effect; that all the revenue laws may be consolidated into one law, for by such an alteration alone can they be made intelligible. I would have every restriction upon smuggling, for nothing so much injures the fair dealer and the public in general; but I would have no laws enacted that ought not to be enforced.

The Earl of Bective. My Lords, I move you, that an humble Address from this House, be presented to his Excellency the Lord Lieutenant, for his most excellent speech, delivered this day from the Throne.

The motion was agreed to *nem. con.* and a Committee appointed to sit to-morrow, and prepare the Address.

The Lord Chancellor, by order of his Excellency, presented translated copies of the Declaration and Counter-Declaration, exchanged between the Courts of England and Spain, and other papers relative

relative to the late Convention concluded between those powers, which were read, and ordered to lie on the table.

The House adjourned.

HOUSE OF COMMONS.

THURSDAY, JANUARY 20, 1791.

This day, at half past four in the afternoon, the House of Commons being assembled, and the Speaker in the Chair, a message from the Lord Lieutenant was delivered by the Hon. Henry Fane, Gentleman Usher of the Black Rod, commanding the attendance of the Commons in the House of Lords.

The Commons, with the Speaker at their head, attended accordingly; when his Excellency was pleased to make a most gracious Speech to both Houses.

The Commons being returned to their own House, fourteen Members, who had been waiting, were first sworn in, and then the Speaker read from the Chair, a copy of the Lord Lieutenant's Speech, which being afterwards read by the Clerk at the table.

Mr. John Wolfe rose. He said, he presumed it would not require many arguments to prove, what must be obvious to every man, the growing prosperity of Ireland, under the auspices of a wise and benevolent Monarch; for thirty years we have enjoyed the blessings of his reign, almost every year of which had been marked by some act of favour to this nation. During that time our liberties had been restored—our commerce, extended—our agriculture and manufactures encouraged; and he was bold to say, that if there

was

was upon the face of the globe any place more peculiarly distinguished than the rest, by the enjoyment of liberty, peace, and prosperity, it certainly was the kingdom of Ireland.

Mr. Wolfe then alluded to that part of the Speech which mentions the Spanish Convention, which he considered as the means of opening a plentiful source of trade, in the benefits whereof this country would participate.

With regard to the advice which they had just received from the Throne, recommending the simplification of the duties, and a more easy system of collecting the revenue, he doubted not they would most earnestly enter into it, as the present complicated and intricate mode had long and justly been complained of; and the alteration desired must prove not only highly advantageous to the trade and revenue of the kingdom, but a great ease and benefit to the individual merchants by whom it is carried on; and would reflect great honour on Lord Westmorland's Government, by which it had been undertaken. As to the good intentions of that Nobleman towards this country, he himself had just declared them in language much superior to any thing *Mr. Wolfe* could offer; he would therefore only say, that he was confident every advantage which the power of a Lord Lieutenant, animated by a benevolent heart, could bestow upon this country, it would receive from Lord Westmorland; and that the longer his amiable qualities were known amongst us, the more would they be admired.

Mr. Wolfe concluded his speech with moving an humble Address to his Majesty, which was, as usual, an echo of the Speech, excepting the introduction of a tribute of condolence on the death

death of his Royal Highness the Duke of Cumberland, and a return of thanks to his Majesty for continuing his Excellency the Earl of Westmorland, in the Government of this kingdom.

The question being put on Mr. Wolfe's motion,

Mr. Grattan rose to say, that he did not mean to give any opposition to the Address, except that part which referred to Lord Westmorland, and from which, for the sake of consistency, he thought it necessary to declare he withheld his assent.

The question was carried without a division.

A Committee for an Address to his Excellency the Lord Lieutenant, was then proposed and carried *nem. con.*

Major Hobart laid before the House the several papers relative to the Spanish Convention.

Sir Lucius O'Brien rose to move the revival of the resolutions usually entered into at the beginning of every new Parliament, relative to the trial of contested elections. In one instance, however, he submitted, whether a variation from the former resolutions might not be made with advantage? Formerly when a Committee appointed to try the merits of a contested election, declared the petition against the sitting Member frivolous and vexatious, the House had it in its power to pass a censure on the petitioner, or even, commit him to prison; but he doubted whether it would not be better for the House, certainly it would for the injured person, if they were to pass a resolution that compensation should be made by the party petitioning, as in another kingdom.

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[Here *Sir Lucius* was informed by Major Hobart, that the power of ordering compensation was by Statute Law, vested in the English House of Commons; they did not exercise it under any resolution of their own.]

Sir Lucius submitted to the House, whether they would chuse to pass a resolution, or originate a bill to vest in themselves this power? Or, whether it would not be the best mode of all, to pass a resolution, and on that resolution found a bill.

Mr. George Ponsonby. Certainly the House of Commons cannot, unless empowered by law, order any pecuniary compensation; they can censure or imprison; and persons to avoid that punishment, may make and have made compensation, as is sometimes done in the case of attachments in the courts; but if the House shall think it prudent, as I do, to oblige petitioners to enter into securities for the payment of compensation in the case supposed, they must have an act of parliament to authorize them.

Mr. Corry said he thought the subject liable to strong objections, whether by resolution or bill; it had been shewn that a resolution of the Commons could not make law, and great caution should be used in introducing a bill, lest they should thereby weaken the authority of the House, derived from the common law of Parliament, beside doing away a great part of the benefit of trial by Jury; for if the House should happen to be of an opinion different from the report of the Committee (or Jury, as with great propriety it might be called) appointed to try a contested election, then the person aggrieved would be deprived of the benefit of compensation.

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The Right Hon. the Speaker rose, he said as to the decision of a Committee, on an election, it is final and conclusive, the House puts no question on it; but upon the report of a petition being frivolous and vexatious, the opinion of the House must be taken, and they may differ with the Committee.

Mr. Corry. Then, Sir, I am happy to find I was in the right, my objection is to the necessity of having the House agree with the report of the Committee, for I would rather leave the matter altogether to thirteen Gentlemen on their oaths, than have any interference of the House.

Sir Lucius O'Brien then moved, that all petitions against elections and returns, should be presented anew in the order as last session.

That every petition against returns of the general election be lodged before the 5th of February, notwithstanding adjournments.

That petitions against new returns be lodged within fourteen sitting days.

That members returned for two or more different places, do make their election before this day three weeks, provided there be no petition against the election.

That every member shall withdraw, while any thing touching his own election is debated.

That petitioners shall serve on the sitting member a list of the voters objected against, and the heads of objection, and that the sitting member shall serve a similar list on the petitioners.

That if any person shall appear to have procured his election or return by bribery or corruption, this House will proceed against him with the utmost severity.

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That if any witness on any petition shall appear to have been tampered with, suborned, or deterred by any person, the House will proceed with the utmost severity against such person.

That if any person shall give false evidence or prevaricate, the House will proceed against the offender with the utmost severity.

That if a committee shall report a petition to be frivolous and vexatious, the House will order satisfaction to the sitting member,

. That on any motion for discharging defaulters, on a ballot for a committee, out of custody, the defaulters shall withdraw.

That members disqualified, or privileged from serving on Committees, shall be excused attendance on such ballots,

Right Hon. Mr. Ogle presented a petition from the freeholders of the county of Wexford, the prayer of which was, that the prayer of Sir Frederick Flood's petition, and that of the other freeholders of said county might not be granted by the House.

Mr. Warden Flood observed that this was a very extraordinary petition as ever he had seen; it was a petition from one part of the freeholders of a county, praying that the other part might not have an opportunity to obtain the redress pointed out to them by law; that the pretensions of Sir F. Flood might not be examined by a committee; and that one set of men should not have the advantage of petitioning, which they had an equal claim to with the present petitioners themselves. He was sure the House could not entertain the petition, for it was contrary to law and common sense.

Mr. Ogle observed that it was only the wish
of

of the petitioners, that a candidate who had such a decided majority against him, as was the case with Sir Frederick Flood, might not be returned as the member elected by the majority of freeholders. As to the petition, he considered that one petition might as well be received as another, and he wished to know from the Chair if he was not in the right.

The Speaker said the House could not receive such a petition ; and advised Mr. Ogle to withdraw it—which he did accordingly.

The petitions against Elections were thus arranged :

John Finlay, Esq ; and the Freeholders of the county of Dublin, to be considered Monday, February 7.

Godfrey Green, Esq ; and John Reilly, Esq ; Electors, Dungarvan, Tuesday 8.

R. Paul, Esq ; Lismore, Wednesday 9.

W. Smyth, Esq ; county Westmeath, Thursday 10.

J. Bingham, Esq ; county Mayo, Friday 11.

Lau. Parsons, Esq ; University of Dublin, Monday 14.

Sir F. Flood, Freeholders, county Wexford, Tuesday 15.

Mr. Bagwell, and Sir John Carden, county Tipperary, Wednesday 16.

Hon. John Stratford, county Wicklow, Wednesday 23.

Ordered, that Mr. Speaker do issue his writ for electing a Burgess for Old Leighlin, in the county of Carlow, in the room of Lord Gosford,

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The several standing orders of the House were revived, and a Committee of Privileges was appointed.

Mr. Maclean, Secretary to the Board of Accounts, presented at the Bar, an account of the receipts and disbursements for the last year, to the 8th of January instant; which was ordered to lie on the table.

The House adjourned.

HOUSE OF PEERS.

FRIDAY, JANUARY 21.

The Marquis of Waterford reported from the Committee appointed to prepare an Address of Thanks to his Majesty, that the Committee had accordingly prepared one, which he then read in his place, and which being afterwards read paragraph by paragraph, and the question put upon each, passed the House *nem con.*

Lord Beclive reported from the Committee appointed to prepare an Address of Thanks to his Excellency the Lord Lieutenant, that they had accordingly prepared one, which he had the honour to submit to the House. His Lordship then read the Address, which being afterwards read and the question put, it was carried in the affirmative with only one dissentient.

A motion was then made and agreed to unanimously, that the Lord Lieutenant be humbly requested to forward the Address voted to the King, and that his Excellency be pleased to appoint a time to receive it for that purpose, and also to receive the Address of Thanks voted to his

his Excellency, and that the Chancellor and the House should present the same.

The *Lord Chancellor* having informed their Lordships that his Excellency had appointed half after three o'clock to morrow evening, it was moved and agreed to unanimously, that the Chancellor and the Lords Spiritual and Temporal, should wait upon his Excellency at that time.

Adjourned.

HOUSE OF COMMONS.

FRIDAY, JANUARY 21.

Sir Hercules Langrishe moved for leave to bring in a bill for the better preservation of the health of his Majesty's subjects, and to enable the Corporation of apothecaries to establish a Hall for the sale of genuine medicines. Leave granted.

Mr. John Wolfe reported from the Committee appointed to draw up an Address to his Majesty, that they had agreed to the following:

To the KING'S MOST EXCELLENT MAJESTY,

THE HUMBLE ADDRESS

OF THE

KNIGHTS, CITIZENS and BURGESSES, in Parliament assembled.

" *Most gracious Sovereign,*

" WE, your Majesty's most dutiful and loyal subjects, the Commons of Ireland in Parliament assembled, beg leave to approach your Majesty with the purest sentiments of loyalty, and the warmest

warmest expressions of attachment to your Majesty's person, family and government.

" We avail ourselves of the first opportunity to convey to your Majesty our condolence, at the great loss your Majesty has sustained in the lamented death of your royal brother, his Royal Highness the Duke of Cumberland.

" We are grateful to your Majesty for the communication which has been made to us, by your royal command, that the differences between your Majesty's and the Court of Spain have been terminated without any actual interruption of the blessings of peace; and for having been graciously pleased to order copies of the declarations exchanged between your Majesty's Ambassador and the Minister of the Catholic King, and of the convention which has since been concluded, to be laid before us.

" With peculiar satisfaction we reflect on the termination of those differences, so happily accomplished by the wisdom of your Majesty's councils; and we beg leave to assure your Majesty, that if the honour of your crown, and the rights of the empire, had involved your kingdoms in the calamities of war, your faithful people of Ireland would have stood forward with their accustomed loyalty and zeal to support your Majesty in the maintenance and protection of those important objects.

" We will cheerfully provide such supplies as shall be found adequate for the exigencies of the state, and the honourable support of your Majesty's government.

" We are not insensible to that regard for our interests which has induced your Majesty to direct
our

our attention to regulations for simplifying the collection of the various articles of the public revenue, and we shall endeavour to frame such provisions as may be found most advantageous for the ease of the merchants and the facility of commercial business.

“ The encrease of our agriculture, our trade and manufactures, and particularly our linen manufacture, must encourage our exertions for their further extension and improvement; and we shall not remit our usual attention to the protestant schools, and other public institutions for charitable purposes.

“ We cannot but return our sincere thanks to your Majesty for the continuance of the Earl of Westmorland in the government of this kingdom, under whose judicious administration the nation is preserved in tranquility, and advancing in wealth and credit. We are confident he will at all times make a just and favourable representation of our exertions in the national service, and we are satisfied of his Excellency's unremitting endeavours to fulfil your Majesty's most gracious commands, by contributing to the happiness and prosperity of Ireland.”

The Address being read paragraph by paragraph, passed without any division.

On the paragraph which alludes to the collection of the Revenue.

Mr. George Ponsonby said—This paragraph, Sir, contains words which convey to my mind no precise or definitive idea; I therefore wish that some Right Hon. or Hon. Gentleman in office, the Chancellor of the Exchequer, or one of the Commissioners, will explain these vague and general expressions.

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The Chancellor of the Exchequer said, the object and intention of Government, intimated in this paragraph of the speech, is to explain and amend the laws relative to the duties on articles imported, and to consolidate into one sum the whole duty payable on each article, as has been done in the case of sugars. This regulation has already taken place in England, and has been found highly beneficial to the Merchants of that country. It was, he said, intended to extend the benefit of this regulation to all *rated* articles; to those *unrated*, as they paid duty *ad valorem*, it could not extend. It would soon, he said, become his duty to bring in a bill, containing a schedule of the various articles which would come under this regulation, and of the duties by them payable; every gentleman should have full information and satisfaction on the subject; and there was not a gentleman in the House who better knew the necessity of the reform, than the gentleman who spoke last.

Mr. Ponsonby desired to know, whether or not the Right Hon. Gentleman intended that all duties payable on each individual article, should be bound up in one sum, and annexed to that article in the schedule?

To which the Chancellor of the Exchequer having answered in the affirmative, the paragraph was put and unanimously agreed to,

The rest of the Address passed without opposition, except from Sir Richard Musgrave, who made a speech that caused much laughter; but which not having distinctly heard, we will not pretend to report.

Mr. McNamara reported from the Committee appointed

appointed to draw up an Address to his Excellency the Lord Lieutenant; which being read paragraph by paragraph, passed without any division.

Mr. Egan presented a petition from *S. Thompson, Esq*; complaining of an undue return for the borough of Antrim, which was ordered to be taken into consideration on the 19th of February.

The trial of the Trim election was ordered for Feb. the 5th.

The House adjourned.

HOUSE OF PEERS.

SATURDAY, JANUARY 22.

The *Lord Chancellor* came to the House at half past three o'clock.

It being the order of the day, that the House should, at that hour, wait upon the Lord Lieutenant to present their Address.

The Question of adjournment till Monday the 31st of January was put and carried.

Whereupon the Chancellor, in his magnificent state coach, and all the Nobility, with new and grand equipages, formed a procession from the Parliament House to the Castle.

HOUSE OF COMMONS.

SATURDAY, JANUARY 24.

The Right Hon. Mr. Hobart informed the House, that his Excellency the Lord Lieutenant had appointed half-past four this day, for the time of receiving the Addresses.

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The House then adjourned for half an hour, and went up to the Castle with the Addressees.

The House having resumed, Mr. Speaker reported his Excellency the Lord Lieutenant's Answer to the Address to his Majesty—

“ I will forthwith transmit this dutiful and loyal Address to be laid before his Majesty.”

To the Address of Thanks for the Speech from the Throne—

“ I request you to accept my best thanks for this very honourable testimony of your good opinion ; I will strenuously endeavour to merit a continuance of your confidence, and to prove by my conduct, the sincerity of my wishes for the prosperity of Ireland.”

Sir Edward Crofton presented a petition from the Grand Jury of the County Roscommon, stating the evils arising from the excessive use of spirits among the common people, and ascribing the grounds of these evils to the low prices and low charges on the licensing of spirits, and the scarcity and bad quality of malt liquors—and praying relief.

Right Hon. Mr. Clements presented,

I. Abstracts of Receipts and Payments made at the Treasury from Lady Day 1789 to Lady Day 1790.

II. Payments made in pursuance of acts of Parliament, with arrears, for same term.

III. Payments pursuant to King's Letters, for the same term.

IV. Payments under the head of Military Contingencies, for the same term.

V. Payments

V. Payments under the Head of Condordatm, for the same time.

Which were ordered to lie on the table.

Mr. Burgh (Accountant-General) presented to the House,

I. An Abstract of the Hereditary Revenue and Additional Duties, with the expence of management, drawbacks, &c. from Lady Day 1789 to Lady Day 1790.

II. Abstract of appropriated duties for same term.

III. A state of the Establishments and other charges of Government for same time, with the arrears unsatisfied.

IV. A state of the Duties and Aids applicable to Loans, with a state of the Loan Funds for the same time.

V. A general state of the National Accounts for the same time.

VI. A general state of the Appropriated Duties for the same time.

Which were laid on the table, and ordered to be printed.

Adjourned.

MONDAY, JANUARY 24.

The Right Hon. Mr. Mason moved,—That the proper officer do lay before the House, an account of all corn, meal, and flower brought by land or canal carriage to Dublin, in the last year, with the bounty paid thereon.

Mr.

Mr. John Wolfe moved—That the Speaker do issue his warrant to the Clerk of the Crown to make out a new writ for the borough of Naas.

Right Hon. Mr. Grattan moved—That the proper officer do lay before the House, an account of the number of officers employed in the collection of the Inland Excise.

Also the amount of the sums collected for Excise, after deducting the drawbacks.

Also the amount of the duty on home made spirits, beer, and ale.

Also the amount of the spirit licenses.

Also the charge of the Military Establishment from the year 1784 to 1790, distinguishing each year.

Also the charge of King's Letters, during the same period.

Also the charge of the Civil Establishment, during the same period.

Also the charges under the head of Concordatum, for the same period.

Also the amount of Bounties, during that period.

Also the amount of the Hereditary Revenue, for that period.

Also the amount of Incidents in the Ordnance, Barrack, Revenue, Stamps, and Post-Office, for that period.

Mr. Forbes moved, that the proper officer do lay before the House, a list of the pensions on the civil and military establishments; together with an account of such as have fallen off by death or otherwise. All which papers were ordered.

Lord

Lord Delvin rose and said, as he saw in his place the Hon. Gentleman who had preferred to the House a petition, complaining of an undue election for the borough of Trim, and purporting to be a petition from certain electors of that borough, and supposed to be by them signed, he would take the liberty of asking the Hon. Gentleman from whom he had received the petition?

Mr. Egan said, he had received the petition from Mr. Skeffington Thompson, and at his request he had presented it. He was informed, that a letter had this day arrived from one of the parties whose name appeared to the petition, denying his having signed it, or having authorized any one to put his name to it; but Mr. Thompson had assured him that the person had. However, without entering into that question, it was certain, that if there was but a single name to the petition it was sufficient.

Lord Delvin. I perfectly agree with what the Hon. Gentleman has last said, but I cannot think that a gross breach of privilege, such as forging a man's name to a petition intended to affect an Hon. Member of this House, should be passed over; and that the House may be in full possession of the subject, I will, as part of my speech, read the letter alluded to. *Lord Delvin* then read the letter, which was from Joseph Higgins, of Trim, to his brother, Mr. Benjamin Higgins, assistant Clerk of the House of Commons, in which Mr. Joseph Higgins in the strongest manner declares, that he never put, or authorized any one to put his name to the petition in question. Mr. Higgins, the Clerk, was ready to prove his brother's handwriting; and the petition being read, the name of Joseph Higgins was found subscribed.

Mr.

Mr. Egan said, he had *Mr. Thompson's* word that *Mr. Higgins's* name was put by his own consent to the petition, and he would rather take *Mr. Thompson's* word in such a case, than *Mr. Higgins's* note of hand.

Mr. Marcus Beresford. This is a very extraordinary excuse, indeed; it appears that *Mr. Higgins* can write—his letter shews it; if then he had consented to the petition, why not write his own name himself? I must therefore say, I cannot place the same confidence which the *Hon. Gentleman* does in the excuse offered: I rather suppose that *Mr. Higgins* in his letter speaks the truth.

Lord Delvin. If I understand the intention of affixing several names to a petition, it is in order to give it weight. Now, if one man's name be forged, why may not another? And how shall we know the truth, but by examining the parties? I shall therefore move you, that the five persons whose names appear signed to this petition, be ordered to appear at the Bar of this House on this day se'nnight.

Mr. Egan said, he hoped the House would not agree to the motion, or rather that the Noble Lord would not press it: We know, said he, that by the Grenville Act every power direct and collateral as to the trial of elections, is taken from the House and vested in a Jury drawn from the House; the House therefore never should attempt to investigate any subject which can tend to prejudice the decision of that Jury; besides, if the motion passes, it may prove a bad precedent, and injuriously oppressive to a number of poor men. Here is a petition from the county of Cork, signed by three or four hundred persons? you may as well bring all these

these men to your Bar, if any one amongst them denies his name and hand-writing, as bring those five men from Trim. I do not know the drift of the Noble Lord, I fear it may be dangerous, as affecting the merits of a petition which is to be tried.

Right Hon. John Beresford. The opposition given to the motion of the noble Lord, is very surprising indeed!—A Member of this House rises in his place, states a fact, which no man denies to be a gross breach of privilege; one person denies having set his name to a petition where but five names appear. Now, suppose you go to a trial on this petition—suppose you vote it frivolous and vexatious—one man has already declared his name a forgery—may not the other four do the same? Who then is to pay the costs, or indemnify the Member injured? certainly not Mr. Thompson, his name is not to it. Will any man then say, the noble Lord is not well justified in desiring to have the five persons to the Bar, to know from themselves which of them avow the petition? On a point of privilege, it is sufficient if any Member rises and states a fact, for the House to proceed to enquiry; but this case is strengthened by several circumstances;—first, a man presents a petition in his own name, then withdraws it, and then presents one in the name of other men, some of them not having consented.

Lord Delvin. I make no scruple to declare, that if it shall appear to the House, that Mr. Thompson did put this man's name to the petition without his consent, I will move for the highest censure the House can inflict for so high a breach of privilege.

Mr. Egan. I have now in my hand a petition from Mr. Thompson himself, that I hope will
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put an end to this question; for my part, I am only anxious to prevent the House from prejudicing a solemn decision.

Mr. Corry. I think what has been said as to the County Cork petition is conclusive; we should not drag men from their homes if we can possibly avoid it. In my opinion, the right of petitioning is a very precious right; and though the Members of this House ought to be protected from frivolous and vexatious petitions, the privilege of the subject to petition should be guarded. If it shall appear to this House that any fraud has been used in the petition, the persons guilty cannot be too severely punished; but I am against any mode of proceeding that can by any possibility, or in the most remote degree, injure the right of petitioning, or the decision of a Committee.

After a good deal of conversation, it was agreed that Mr. Higgins of Trim, should next Wednesday attend at the Bar.

The Chancellor of the Exchequer said, that, as in conformity to the Speech from the Throne, it was intended to consolidate all the Duties payable on each article imported, into one sum: and as it would be necessary for the satisfaction of the House to lay before them lists of these articles, with the net duty so calculated, annexed. He hoped gentlemen would attend to this business, and he trusted they would find them without error; if any difference in calculation should appear, it would only be from a fraction to the next whole number.

The House then, according to order, took the Speech from the Throne into consideration.

Sir John Parnel moved that a supply be granted to his Majesty.

He then moved that the House do to-morrow resolve

resolve itself into a Committee to take said supply into consideration—which was ordered.

Sir E. Crofton presented a petition from the Arigna Iron Company—referred to a Committee.

Several papers were moved for.

Adjourned.

TUESDAY, JANUARY 25.

Mr. Clements presented an Account of Payments at the Treasury, under the head of Barracks for the last year.

Ordered to be laid on the table.

Mr. Handcock presented at the bar an account of the Military Establishment as it stood at January 20, 1791.

The charge of the Military Establishment up to the 31st March, 1790.

The particulars of increase or decrease on each head during that time; and the particulars of increase or decrease on half-pay. Also,

The estimate of the charge from the 1st of April to the 29th of September, 1790.

Ordered to lie on the table.

Mr. Forbes moved that the proper officer do lay before the House an account of the charge of Pensions on the Civil Establishment for the years 1784, 6, 7, 8, 9, and 1790, with the additions in each year, and the total of the additions for the last five years.

Also, an account of all new places, salaries, and additional salaries on the revenue establishment, or incidents created since 1781.

Also, all salaries on the revenue establishment,

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and sums under the head of Incidents, Gratuities, and Pensions, and salaries on the establishment for collecting stamp duties from 1781 to 1790, with the increase of each year.

Also, all salaries and incidents on the hearth-money collection, the Stamp Office and the Post-Office, for 1784, 86, 87, 88, 89, and 90, with the increase of each year.

Also, the particulars of the charge under the head of State Officers, for the year 1790.

Ordered accordingly.

Mr. A. Browne (College) presented a petition from the Hackney Coachmen of this city, stating, that before the Police act was passed they paid but forty shillings per annum tax; that since that act, a tax of four shillings per week has been added, amounting, with the former, to 11l. 12s. per annum tax; that to maintain three horses, and pay the driver, repairs, rent, farrier, &c. &c. requires no less than 152l. 15s. per annum; that their profits at 9s. per week produce but 164l. 5s. leaving a ballance in their favour of only 11l. 10s. per ann. which sum is utterly insufficient to support them, did not the other parts of their families contribute their exertions in other modes; that the number of jaunting-cars has destroyed this trade, each car paying only 1l. 2s. per ann. tax, and producing double the profits of a coach;—and praying relief.

The Chancellor of the Exchequer observed, that the petitioners had mistated facts, for the tax was before the Police Act equal to what it is now, the only difference was that they did not pay it, the Governors of the Work house not being able to collect it; and the only hardship they suffered from the Police act was that they were obliged to obey

obey the act of Parliament, because the Police had power to force them to it.

He also observed that their fares had since the Police Act, been raised in a much greater proportion than the tax they were obliged to pay.

The petition was ordered to be laid on the table.

Right Hon. Mr. Hobart presented an account of the expence incurred by the late preparations for war.

Ordered to lie on the table.

The House then resolved itself into the Committee of Supply, *Mr. Mason* in the Chair, and after some time reported that they had agreed to a vote of supply, which he was ready to report.

Ordered to report to-morrow.

Adjourned.

WEDNESDAY, JANUARY 26.

A great number of papers relative to the several establishments, to Pensions, Contingencies, Concordatum, &c. &c. were according to order, laid upon the table.

Mr. Holmes moved, "That a Committee be appointed to enquire into the operation of the law for licencing Pawnbrokers."

Ordered accordingly.

The Right Hon. Mr. Mason reported from the Committee of the whole House, to whom was referred the Resolution, "That a supply be granted to his Majesty." That they had unanimously agreed to the same; whereupon the Speaker put the question "That the House agree to the report of the Committee;" which also passed *nem. con.*

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The Right Hon. the Chancellor of the Exchequer moved, " That the House do on Thursday se'nnight, resolve itself into a Committee of the whole House, to take into consideration the supply granted to his Majesty." He was, he said, certain, that it must be the wish of every Gentleman to accelerate business; and therefore, as the Committee for inspecting the public accounts would sit to-morrow, and continue sitting till all the accounts were discussed, he hoped Thursday se'nnight would not be deemed too early to enter on the supply.

Right Hon. Mr. Grattan said, he thought the proceeding of the Right Hon. Gentleman right, and provided sufficient time was allowed to investigate the accounts fully, he could have no objection to the motion.

The Chancellor of the Exchequer's motion having passed in the affirmative, the Right Hon. Mr. Mason moved, " That the Committee of Accounts do sit to-morrow," which motion also passed in the affirmative.

A motion was made, " That the persons petitioning and complaining of an undue Election for the County of Dublin, do furnish the sitting Members with lists of the voters by them intended to be objected to."

Ordered accordingly.

The Right Hon. Mr. Latouche said, Sir, the very great and alarming excess in the use of Spirituous Liquors, so universally prevalent, not only in this City, but throughout the whole kingdom, to the utter ruin of industry, and the subversion of every moral principle, calls loudly for the interference of Parliament, and the serious attention of every Gentleman in this House.

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I very well know the manifold difficulties to be surmounted in removing this abominable evil; but I doubt not, that by wisdom and perseverance they may be removed; especially, I know that an application to the Chief Governor on this subject, met with his most hearty approbation; and as the speech from the Throne, clearly and unequivocally directs our attention to it, I shall only say, Sir, that as one, I shall use my best exertions to remove an evil so universally prevalent in Ireland, and every where so destructive.—I shall therefore move you to resolve, “That it is the opinion of this House, that the excessive use of Spirituous Liquors is highly injurious to the health and morals of the people;” and then, Sir, I shall move you, “that a Committee be appointed to take this subject into consideration.”

Major Hobart rose to second the motion, and almost at the same time, *Mr. Grattan*; the Major having first caught the Speaker's eye, was called on.

Right Hon. Major Hobart, Sir, I most perfectly agree with the resolution of the Right Hon. Gentleman. I am most thoroughly sensible of the evils which this country sustains by the immoderate use of spirits; I am therefore, happy in seconding the motion.

Right Hon. Mr. Grattan. I have great pleasure in giving my approbation to the motion, and did rise to second it, but the Right Hon. Gentleman has stepped before me. I am, however, happy to see the Right Hon. Gentleman shew any activity in any case where this country is to be benefited; I shall always be glad to give him the way; let the country receive the benefit, and let him receive the applause.

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I am happy, Sir, at the mode the House has taken ; by adopting the resolution, you make it indispensable on the House to proceed to the destroying of this poison, which now destroys the health, the morals, and the industry of the people ; and which, notwithstanding the variety of interests which seem to place insurmountable obstacles in the way, I doubt not to see effected. It is imagined that the growth of corn and the revenue will be checked : I do not think this can happen ; but even if it should, I would sacrifice both to the human species. Corn and Revenue were made for the benefit of man—not man to be sacrificed to the increase of these ; but tillage or revenue can lose nothing by correcting this abuse. Consider the time lost in intoxication, consider the riots, the disorders, the litigation that arise from this plenteous source of evil. It is absurd to suppose that the healthy, laborious men will not consume more corn as food, at the moment they are by their industry contributing to the benefit of the state, than poor enervated wretches, poisoned and debilitated by the use of spirits, can do.

As to the Revenue, the real objection against reforming the abuse of spirits, (and the only objection that ever I heard which had any real weight), is, that if you raise the duty beyond a certain point, you hold out an encouragement to the clandestine distiller ; but even this, I think is not beyond the ability of Parliament, to obviate.—Whatever is done to promote sobriety in this country, must be done by Parliament : Parliament, by the Gin Act in England, sobered England—and why may not we do the same in Ireland ?

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There are four measures, by the combination whereof I think this may be effected;

A Tax on the Malt,

A further Tax on the Distillery and a disallowance of the drawback;

A very heavy expence for Licence.

And a Tax upon Retailers,

The first of these measures, it may be feared, would injure the brewery; but to guard the brewery from injury, and to promote its interest, is, in my opinion, a primary object of the reform.

Besides these measures which I have mentioned, I would endeavour to interest the Magistrates and Gentlemen of the Country; the Revenue can never be collected by any number of Officers, if the Gentlemen of the Country do not countenance and support them. [House, hear! hear! hear!] I would have in every district superintending Magistrates, with power to inflict immediate penalties; to report to the Quarter Sessions (perhaps on oath), the number of Stills and of Retailers in their District; and I would give to the Sessions a power of punishing crimes committed against the Revenue, with severity.

In settling the Excise on Spirits, it should be raised so high, if possible, as to put them out of the reach of the mechanic and the labourer, taking care at the same time, to provide him with a cheap and wholesome beverage; in order to which, the Excise, and every restriction, should be taken off the Brewery; no tax on brewing should be suffered to remain, save only that paid on the Malt. The Brewer, like every other Manufacturer, should be left to himself to prepare his goods in the best manner his skill could suggest; neither should he

should be tied to any price. All this may be done with the utmost safety; his profits may always depend on the quantity of his manufacture consumed; the consumption will depend on the quality of that manufacture, and therefore it would become his interest that the quality should be the best.

By adopting these measures, Sir, you would have an opportunity of reducing the number of Excise Officers. By the return made to this House last year, it appeared, that their number exceeded 800; which, reckoning their salaries and fees, (fees more oppressive to the subject than salaries,) cannot be estimated at less than 100l. per man or 80,000l. in the whole. If to these you add the incidents and the expence of cheque officers, you cannot suppose the gross amount to make less than 100,000l. paid for collecting 270,000l. This, I think, is the strongest case that can be made out to induce the House not only to remove the evil of poisoning the people, but the evil of collecting a revenue from that poison.

If, Sir, those measures, after being well matured and digested by the House, shall be adopted, and if any defalcation shall happen in consequence, the House is not without a remedy—a Lottery. Let the Lottery which is applied to the current service of the year, be applied to make good any defalcation in the revenue; but while I recommend this application of a Lottery, I would not be supposed to be a friend to Insurance. I believe the city has suffered as much by Insurance, as the country has by whiskey.

Right Hon. Major Hobart. I should not have taken the liberty of rising so early on this business,
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if I was not desirous to shew that Government has for some time had it in contemplation; I could, if necessary, appeal to the Chancellor of the Exchequer, and several other Gentlemen, who have been consulted on it, and by whose advice a plan is in some forwardness. To get rid of an evil so injurious to the country, must be the wish of every man; and if any Gentleman on that side of the House will suggest any thing likely to promote so great an object, he shall have my most hearty co-operation.—As to what the Right Hon. Gentleman has said of his being happy to see me active in what relates to the prosperity of the country, I beg leave to assure him, that whenever any Member (especially one so very respectable as he is) shall propose any thing advantageous to the country, he shall be certain of my most cordial support.

Mr Grattan said something we did not distinctly hear; to which

Major Hobart replied, Sir, I trust when any Member of this House rises in his place, and is called on by the Speaker, he is not irregular, or out of order, if he proceeds to deliver his sentiments, or second a motion that has been made.

The Chancellor of the Exchequer said, he was confident that a plan which would suppress the distillation of spirits, and abolish the vile intoxication to which the lower orders of the people were so unhappily prone, a plan that would increase industry and sobriety, would prove a source of wealth and of revenue to the nation. Good order, he said, was the true foundation of Government; industry the foundation of wealth; and if any Gentleman sup-

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posed that Government were weak enough to imagine they had an interest in collecting a revenue from the ruin of the people, he must suppose a very ignorant as well as a very wicked Government. Government were more interested in the health, the industry, the prosperity of the people, than any other description of persons could be; and they were so conscious of the evils which Gentlemen were now anxious to remedy, that not only the present, but the last Administration had entered into that subject with a fixed determination to remedy them. The unfortunate circumstance which had for a time so deeply distressed both kingdoms, had prevented any thing being done; but now, Government was as ready to enter on it as the Right Hon. Gentleman could wish them to be; and so far from objecting, he would with all his heart support every idea of the Right Hon. Gentleman, that his judgment should tell him could be with safety adopted. He hoped that no man would suppose the Government so uninformed as not to know, that if the revenue on spirits were lost, that they had other sources of taxation, when it was recollected that five-sixth parts of the articles taxed in England remained yet untaxed here; but tho' he was ready to do every thing to promote sobriety and industry, he could not think of throwing away a certain source of revenue, till he was assured of another equally productive; or pledge himself to any project that might bear more recommendation from its boldness, than from its wisdom; should he act so, he would deem himself culpable in an high degree. I have seen, said he, various publications on this subject, some of them calling for a prohibition, Why, Sir, a prohibition is always ineffectual. We all know that French cambricks

bricks were prohibited; yet we all know that they were universally worn. Such is the case with all prohibitions.

Having disclaimed on the part of government, any interest in promoting the injury of the people, I shall not enter at large into the Right Hon. Gentleman's plan; there are many parts of it I do most heartily approve, particularly encouraging the brewery, and discouraging the retail of spirits.

As to the mode in which this subject is brought forward, it has also my full approbation, to bring forward facts, and to argue fairly and dispassionately upon them, is perfectly becoming the characters of the Gentlemen who have taken up this subject; and so long as we proceed in that manner, we may expect a prosperous issue to our undertaking; but if we shall introduce into a business (in itself sufficiently complicated) foreign matters merely for the purpose of perplexity and embarrassment; they may indeed be made extremely entertaining, and vastly amusing, but not exceedingly useful.

The Right Hon. Gentleman supposes, that his plan may reduce the number of Revenue Officers. I fear it will not; I rather apprehend that the more restraints you place on the distillery the greater number of Officers you must have to make these restraints effectual.

The Right Hon. Gentleman has spoken of another abuse — insurance of Lottery Tickets. Why, Sir, this is a proof of the inutility of prohibitions. Insurance was for a time prohibited, what was the consequence? every body insured, and nobody was sufficiently interested to stop it. It was then thought expedient to licence insurance

rance, making the licence sufficiently dear to the insurer, and the insurance dear to the ticket holder; by these means the insurer became interested to prevent any person insuring without licence, and though the evil of insurance was not abolished, it was checked.

Sir Lucius O'Brien said, he had laboured in Parliament for five and twenty years to effect the abolition of that destructive poison so justly complained of, and which he was now happy to see fairly under the consideration of the House. He could not, however, avoid feeling some little regret, that the Gentlemen on the other side, to whom he had communicated, he hoped, some useful knowledge on the subject, had not done him the honour to consult him on the present occasion: To his knowledge the last Government had entered very seriously into the discussion of the subject—the present had proceeded still farther; and he hoped that the spirit of unanimity which seemed to unite all men against this common enemy to the prosperity of Ireland, would continue to actuate them until they had utterly destroyed, or at least confined it to very narrow limits.

Right Hon. Mr. Beresford said, he would not for the present detain the House by entering into the subject, which he was happy to see brought forward, and which should receive every assistance in his power to give; no man had ever taken more pains than he had done to assist the brewery and to check the fraudulent distillery; and when, said he, the papers which I have moved for shall be examined, it will be found that the distillery has by no means increased, nor the brewery decreased in the proportion that is imagined; the clandestine and the fraudulent distillers

distillers have decreased indeed, and the revenue on spirits is increased, not because so much a greater quantity is now distilled than formerly, but because a much greater proportion of that quantity pays the duty.

It is in the power of country gentlemen, and of them only, to put a stop to the clandestine distillery; they may remove with ease an evil which, without their aid, no number of Revenue Officers can effect; The Right Hon. Gentleman who represents the county Derry, by merely giving orders to his agent, has driven off his estate every clandestine distiller—I have done the same—and would gentlemen who can command the fuel on their estates, really be as good citizens as they ought, they could totally, and with ease, abolish clandestine distillation.

The Hon. Denis Browne said, he entirely agreed in the principle of the resolution; he wished as much as any man, and would be as zealous as any man to remedy the evil complained of; but he was sorry to say he feared it would be found extremely difficult, if not impossible; the landed interest was too deeply concerned; he therefore wished for a Committee of the whole House that the landed gentlemen might attend, and be aware of what was doing. The Gin Act had been instanced, to shew that in England intoxication had been put down by law; the situation of the two countries was very different; laws have a potency in England, which here it would be in vain to hope for. Do Gentlemen, said he, reflect, that for one guinea price, a machine may be had here that will distil two barrels of pot-ale? Do they consider the huge scale on which the gin distillation was carried on in England?

land? Do they remember that all England at the time of the Gin Act was open by public roads in every direction? And do they not know, that at this day the clandestine distillation in Ireland is carried on often in the remotest recesses of bogs and mountains, in places scarcely accessible. I mention these circumstances of difference to call the attention and the ability of gentlemen to the subject which I wish to have discussed in the most public manner possible.

After some further conversation, Mr. Latouche's two motions passed unanimously. The Committee was appointed, and ordered to sit from day to day in the House, until they shall have finished the subject.

The Right Hon. Mr Grattan requested to know from the Right Hon. Secretary, when he intended to discuss the subject of the Spanish Convention?

Mr Hobart said, if the Right Hon. Gentleman thought proper to discuss it, he would be ready to enter on it any day he should chuse to appoint.

Mr. Grattan. Did I hear the Right Hon. Gentleman right; If! does the Right Hon. Gentleman consider the Assembly where he sits? Does he think this House will be treated with less respect than the English House of Commons? If! But, as the Right Hon. Gentleman does not think proper to fix a day, I will consult Gentlemen on this side, and take their opinion as to the proper time.

Major Hobart Really, Sir, I do not think that I have shewn any disrespect to the House, or to the Right Hon. Gentleman. I should be very much ashamed if I thought my words could bear that construction; but I am certain they cannot. I say, if the Right Hon. Gentleman thinks proper to take the Convention into consideration,

sideration, I shall be ready to enter into it whenever he thinks proper to name a day.

Right Hon. Mr. Mason. My favourite author, Shakespear, has expatiated largely on the virtues of an *If*; he has assured us, that *your If is your only peace maker.* We now see how much he was mistaken.

Ordered, that the petition from the Roscommon Grand Jury be referred to the Committee for taking the excessive use of spirits into consideration.

The petition of S. Thompson, and W. T. Smyth, against the election and return for Trim was ordered to be taken into consideration on the same day with that of Edward Mockler and the other Burgesses of that Borough.

The petition of J. Hobson, Esq; against the election for Tallagh, was ordered for consideration on Wednesday, the 16th day of February.

The petition of John and Jonah Barrington, Esqrs. against the return for Ballinakill, on Saturday the 14th of February next.

Mr. Egan moved, that the order for considering the petition of the burgesses of Antrim, against the return for that borough on the 19th of February be discharged.

The motion was negatived.

The House then adjourned.

consideration, I shall be ready to enter into it when
ever he thinks proper to name a day.

Mr. Alderman Alderson. My learned friend
Shakespeare has appeared largely on the
stage of society, he has attracted great notice
and we now know how much he
was mistaken.

Ordered, that the petition from the
members may be referred to the Committee
for taking the evidence and for making a report
thereon.

The petition of S. Thompson and W. J.
Smith, against the election and return for the
year ordered to be taken into consideration on the
same day with that of Edward Mockett and the
other petitioners of that borough.

The petition of J. Mockett, Esq. against the
election for Salisbury, was ordered to be con-
sidered on Wednesday, the 10th day of February.

The petition of John and Joseph Bristow
Esqrs. against the return for Salisbury, on
Sunday the 11th of February next.

Mr. Alderson moved, that the order for con-
sidering the petition of the burgesses of Salisbury, be
the return of the petition on the 11th of Feb.

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The motion was negatived.
The House then adjourned.